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As Receiver for PEOPLES TEMPLE
OF THE DISCIPLES OF CHRIST

ENDORSED
FILED
San Francisco County Superior Court
FEB 1 1979
CARL M. OLSEN, Clerk
BY MICHAEL H. RICHARDSON
Deputy Clerk

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE CITY AND COUNTY OF SAN FRANCISCO

PEOPLES TEMPLE OF THE DISCIPLES OF CHRIST Petitioner, v. THE ATTORNEY GENERAL OF CALIFORNIA, Respondent.	NO. 746571 (~~PROPOSED~~) FAB ORDER SPECIFYING DUTIES AND POWERS OF ROBERT H. FABIAN AS RECEIVER OF PEOPLES TEMPLE

On January 26, 1979, this Court took jurisidiction over the winding up and dissolution of Peoples Temple of the Disciples of Christ, a California non-profit corporation ("Peoples Temple"), pursuant to the provisions of §§1904 and 9801 of the California Corporations Code. On the same day, the court appointed Robert H. Fabian, Esq., as Receiver ("Receiver") for Peoples Temple, pursuant to the provisions of §§1904 and 1803 of the California Corporations Code.

On February 1, 1979, the court brought on for further hearing, on its own motion, the appointment of Receiver for the

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY _____ DATE _____
RDS☐ or XDS☐ EXT. DATE _____
TS AUTH. _____ REASON(S) _____
ENDORSE EXISTING MARKINGS ☐
DECLASSIFIED☐ RELEASABLE☐
RELEASE DENIED☐
PA or FOI EXEMPTIONS

2. In discharging his obligation as stated above, Receiver is hereby empowered to take all steps reasonably necessary to discover, inventory, maintain, preserve and dispose of all property of whatsoever nature and description of Peoples Temple, whether real or personal, including but not limited to all of the following:

A. Employ legal counsel, including legal counsel in Guyana, Panama, Switzerland, and/or such other jurisdictions as the Receiver may from time to time deem necessary and advisable, and such clerical, administrative and other assistants, including accountants, appraisers and investigators, as may be reasonably necessary to carry out all of Receiver's duties, and to incur and pay all reasonable expenses, including reasonable fees and salaries, incurred with respect to the employment of legal counsel and staff;

B. Open and maintain a bank account against which checks and drafts necessary to pay the day to day costs of administration, as more particularly described herein, may be drawn; provided, however, that the balance of said account may not exceed the sum of $75,000 without further order of this Court;

C. Lease office space and purchase and/or lease such office equipment and supplies as Receiver may deem necessary and advisable in the performance of his duties;

D. Open and maintain bank accounts, safe deposit boxes and make whatever similar arrangements may be necessary to hold and receive assets of Peoples Temple pending the ultimate disposition thereof;

E. Collect and receive all rents, issues, debts, income and profits, all outstanding accounts, things in actions and credits due or to become due to Peoples Temple and hold and retain all monies thus received to the end that the same may be applied under this and further orders of this Court; except as otherwise provided in this order, all such monies may be invested in interest-bearing certificates of deposit or obligations of the federal government;

F. Take possession of all books, records, and writings of all kinds relating to Peoples Temple which are in the custody or control of any and all agents of Peoples Temple and their attorneys;

G. Require any and all persons subject to the jurisdiction of this Court to appear, give testimony and produce pertinent records for inspection by Receiver, pursuant to duly-authorized subpoenas of this Court and in accordance with the provisions of §§1985-1997 of the California Code of Civil Procedure;

H. Insure the property of Peoples Temple in such manner and such extent as Receiver in his discretion may deem necessary and advisable;

I. Pay and discharge out of any funds now or hereafter coming into Receiver's hands, all expenses reasonably necessary and lawfully incurred by Receiver in performing its duties; provided, however, that further order of court shall be required for the payment of any single expense, other than compensation paid to such clerical, administrative and other

assistants as may be employed under paragraph 2A, above, in excess of the sum of $5,000;

J. Sell, by public or private sale, for good and sufficient consideration, any personal property of Peoples T not exceeding $5000 in value, without further order of this Court, if Receiver deems such to be necessary and advisable the circumstances;

K. Collect all debts, claims, demands, choses in action now known or hereafter discovered which are owing to Peoples Temple and take all further steps necessary to colle such debts, including but not limited to, the prosecution of legal actions in his own name as Receiver to this end;

L. Defend in his own name as Receiver all claims lawsuits on file, or which may be filed, against Peoples Tem the Receiver, or agents of Receiver in the course and scope performing Receiver's duties; Receiver is hereby further spe ally empowered to appear in his own name as Receiver on beha Peoples Temple in that certain case entitled United States v Peoples Temple, No. C 790126 LHB (United States District Cou Northern District of California);

M. Take all steps and actions reasonably necessa for the operation and maintenance of any and all businesses properties heretofore operated by Peoples Temple wherever located, pending the orderly inventory and disposition there

N. Borrow, on behalf of Peoples Temple, such fun may be reasonably necessary to continue the operations of an

all such businesses and/or to make any and all disbursements listed above; provided, however, that further order of Court shall be required for Receiver to borrow funds in excess of the sum of $5,000 in any one or more borrowings;

O. Pay and discharge out of any funds now or hereafter coming into Receiver's hands, all taxes and similar charges lawfully incurred in the operation of any and all businesses and properties of Peoples Temple, wherever located, and the preservation and maintenance of the property thereof; and

P. Apply to this Court, on proper petition, for whatever additional powers may be necessary for Receiver to discharge its obligation in an orderly and efficient manner.

3. Receiver shall review, investigate and determine the sufficiency and merits of all claims filed with Receiver in accordance with the Court's order of January 25, 1979.

4. With respect to all claims which Receiver determines should not be recognized, and in accordance with the foregoing, Receiver is expressly empowered to defend any and all legal actions which may be filed to determine the validity thereof.

5. Receiver is further hereby directed to submit to this Court, within ninety days of the date hereof, a written report listing all assets of Peoples Temple as have been inventoried by Receiver as of that date, along with a list of all claims which have been filed in accordance with the Court's order of January 26, 1979. Beginning on a date six months from the date of this order, and every six months thereafter, until

further order of this Court, Receiver shall also submit to this Court an updated list of the assets of and claims against Peoples Temple, as well as an accounting with respect to any assets sold or otherwise disposed of by Receiver, and also make whatever additional comments and observations Receiver believes should properly be brought to the Court's attention in the orderly winding up and dissolution of the corporation. Further, for each bi-monthly period commencing on or about April 1, 1979, Receiver shall petition this Court for payment of reasonable compensation to Receiver, including reasonable disbursements, from the assets of Peoples Temple, for the two-month period preceding each such bi-monthly petition, and such fees and disbursements as approved by this Court shall constitute a priority claim entitled to immediate payment from the assets of Peoples Temple.

Done in open court this 15th day of February, 1979, and signed this 15th day of February, 1979.

IRA A. BROWN, JR.
Judge of the Superior Court